



**Department of Energy**

Washington, DC 20585

October 8, 2004

Document Control Office (7407M)  
Office of Pollution Prevention and Toxics (OPPT)  
Environmental Protection Agency  
1200 Pennsylvania Ave., NW  
Washington, DC 20460-0001

**Attention Docket ID No. OPPT-2004-0092**

Dear Sir or Madam:

Re: *Draft Federal Guide for Green Construction Specs; Notice of Availability*

The Department of Energy (DOE) has reviewed the draft "Federal Guide for Green Construction Specs" sponsored by the Environmental Protection Agency (EPA), that was announced in a Notice of Availability published on July 28, 2004 (69 FR 45053). The Department's comments and recommendations in response to the draft guide, from the perspective of the guide's potential impact on DOE operations and facilities, are enclosed for your consideration.

The Department appreciates the opportunity to comment on the draft guide. If there are any questions concerning these comments, please contact Don Lentzen of my staff at (202) 586-7428 or [donald.lentzen@eh.doe.gov](mailto:donald.lentzen@eh.doe.gov).

Sincerely,

A handwritten signature in black ink, appearing to read "T. Traceski", is positioned above the printed name.

Thomas T. Traceski  
Director  
Office of Pollution Prevention  
and Resource Conservation

Enclosure

**U. S. Department of Energy  
Comments In Response To  
Draft Federal Guide for Green Construction Specs**

**Notice of Availability (July 28, 2004; 69 FR 45053)**

**Section 01351 - Waste Management**

*Section 1.4 (Preconstruction Meeting).* This section indicates the need for a Waste Management Plan. In the subsequent section concerning “Submittals” (Section 1.5), the discussion focuses on a *Solid* (emphasis added) Waste Management Plan with requirements that only address solid wastes. Section 1.2 (Definitions) includes definitions for solid waste, hazardous waste, and hazardous materials. In Section 3.1 (Solid Waste Management), Subsection D (Handling), the draft guide explains that hazardous waste and hazardous materials should be handled in accordance with applicable regulations. With the above information in mind, it is suggested that Section 1.4 be modified to either (a) refer to a proposed *Solid* Waste Management Plan (rather than a “Waste Management Plan”, or (b) provide clarification regarding the types of wastes and materials to be addressed by the proposed “Waste Management Plan.”

*Section 3.1 (Solid Waste Management).* Section 3.1, B. 11 identifies “Paint and paint cans.” Language should be added to recognize that this refers only to non-hazardous paints.

**Section 01354 - Environmental Management**

*Section 3.1 (Environmental Protection), Subsection A (Protection of natural resources), 2 (Water Resources).* Although this subsection identifies the need to comply with requirements of the National Pollutant Discharge Elimination System (NPDES) and the State Pollutant Discharge Elimination System (SPDES), it is suggested that consideration be given to also indicating that a storm water permit may be required. This would be consistent with Section 01411-Environmental Regulatory Requirements, which identifies storm water permits as an applicable regulation (for “contractor’s information only”). (Alternately, Section 01411-Environmental Regulatory Requirements, 1.3.A., Quality Assurance, could be modified to list “NPDES and SPDES” in lieu of “Storm water permits.”)

*Section 3.2 (Field Quality Control), Subsection D (Ecosystems).* This subsection provides guidance relative to monitoring wetland functions. The subsection does not specify construction size, location, or duration requiring the monitoring. It may not be practical for a small size or short term construction project to address these provisions to the same degree as a large project. This also may be the case relative to the provisions under Subsection B (Water) and Subsection C (Toxicity).

**Section 01411 - Environmental Regulatory Requirements**

*Section 1.3 (Quality Assurance), Subsection C (Contractor's Training Program).* DOE suggests that this subsection be modified to specifically include training in regard to pollution prevention (P2), especially related to "green" construction.

**Section 02872 – Bat House**

*Section 3.1 (Installation), Subsection B (Bat Houses).* Item 2 of this subsection states, "Mount minimum 15 above grade." The item should be revised to state "15 feet" above grade.